

ORDINANCE NO. 11-21

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
A PURCHASE AGREEMENT WITH THE LORAIN PUBLIC LIBRARY
FOR REAL ESTATE LOCATED AT 37485 HARVEST AVENUE,
PERMANENT PARCEL NO. 04-00-010-111-024
AND DECLARING AN EMERGENCY**

WHEREAS, the City is the owner of approximately two (2) acres of property located at 37485 Harvest Ave., Permanent Parcel No. 04-00-010-111-024; and

WHEREAS, the property currently consists of land and a building and is being utilized to house the Avon Branch of the Lorain Public Library (LPL); and

WHEREAS, the LPL has been leasing the Property from the City for a dollar a year pursuant to the terms of a rental agreement dated August 31, 1994; and

WHEREAS, the LPL owns land adjacent to the Avon Branch located at 37270 Colorado Avenue, Avon, Ohio consisting of approximately 0.89 acres, Permanent Parcel No. 04-00-010-111-025; and

WHEREAS, on March 17, 2020, voters in the City of Avon approved a 2.00-mill tax levy (R-27-19) for the construction and operation of a new/remodeled Avon Branch of the LPL; and

WHEREAS, LPL now desires to acquire the City owned parcel at 37485 Harvest Ave. and combine it with its parcel at 37270 Colorado Ave. for the Library to expand the Avon Branch onto the adjacent Library Property (after expansion, the Avon Branch will be the "Expanded Avon Branch") and thereby create a much larger library facility to serve the general public. Ohio Revised Code Section 721.22 permits the transfer of the Property by the City to the Library for library purposes upon such lawful terms as are agreed upon between the City and the Library; and

WHEREAS, Council has had an opportunity to meet with the Mayor, members of the Administration and representatives of the LPL to discuss the transfer of the subject property, including the terms of the transaction as set forth in the proposed Purchase Agreement attached hereto; and

WHEREAS, Council, upon reviewing same and discussing the proposed building with library officials, deems it to be in the best interests of the health, safety and welfare of the community that the City enter into a purchase agreement to transfer the land at 37485 Harvest Ave. to the Lorain Public Library for future use as a public library.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That the Mayor is hereby authorized to enter into a Purchase Agreement in substantially the same form as is set forth herein and incorporated hereto as Exhibit A with the

Lorain Public Library to transfer a parcel of real property located at 37485 Harvest Ave. in the City of Avon, Permanent Parcel No. 04-00-010-111-024 (approximately 2.00 acres) pursuant to Ohio Revised Code Section 721.22.

Section 2 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, or otherwise in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for the City to transfer land for public use to the Lorain Public Library to facilitate immediate construction and renovation of the Expanded Avon Branch; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____

In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director, City of Avon